



IAP7 Rec'd PCT/PTO 10 JAN 2006

094.000120

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
ANDRE ROBERTS )  
Application No.: 10/540,260 )  
Filed: June 23, 2005 )  
For: AERATED CHOCOLATE WITH )  
MICROBUBBLES FOR IMPROVED )  
STABILITY )  
January 9, 2006

Mail Stop: Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL  
PROCESSING AND CORRESPONDENCE BRANCH**

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)

Sir:

In response to the NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371 mailed December 14, 2005 enclosed please find an executed  
Declaration/Power of Attorney form, together with the surcharge fee of \$130.00. Also  
enclosed is a copy of the said NOTIFICATION OF MISSING REQUIREMENTS.

The Commissioner is authorized to charge any additional fees or credit any  
overpayment to Deposit Account No. 06-1205.


01/12/2006 GREY: 00000006 10540260

01 FC:1617

130.00 UP

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
\_\_\_\_\_  
Raymond R. Mandra  
Attorney for Applicants  
Registration No.: 34,382

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NY\_MAIN 527488v1

To: \_\_\_\_\_ cc: \_\_\_\_\_



## UNITED STATES PATENT AND TRADEMARK OFFICE

LVM \_\_\_\_\_

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/540,260

FIRST NAMED APPLICANT

Andre Robert

ATTY. DOCKET NO.

03094.000120

INTERNATIONAL APPLICATION NO.

PCT/AU03/01709

I.A. FILING DATE

12/23/2003

PRIORITY DATE

12/23/2002

5514

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LE. DIG. VOIT & MAYER  
 RECEIVED

DEC 19 2005

PAY/TM Due Date \_\_\_\_\_

CONFIRMATION NO. 8667

371 FORMALITIES LETTER



\*OC000000017650065\*

Date Mailed: 12/14/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/23/2005
- Copy of the International Search Report filed on 06/23/2005
- Copy of IPE Report filed on 06/23/2005
- Preliminary Amendments filed on 06/23/2005
- Request for Immediate Examination filed on 06/23/2005
- U.S. Basic National Fees filed on 06/23/2005
- Priority Documents filed on 06/23/2005

03094.000120.  
 ATTORNEY *RM*  
 DUE DATE *2/14/06*  
 DOCKETED *1/3/06 MR*  
*OW*

The applicant needs to satisfy supplemental fees problems indicated below.

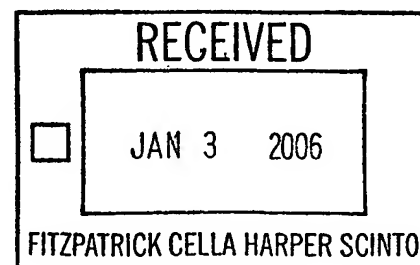
The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.



ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/540,260	PCT/AU03/01709	03094.000120